IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 17TH JULY 2006 / 26TH ASHADHA,1928

Bail Appl..No. 4159 of 2006()

CRMP.5392/2006 of J.M.F.C.-III, PUNALUR
(CRIME NO.42/2006 OF EXCISE RANGE, PATHANAPURAM)

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PETITIONERS/ACCUSED

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1. SUNEESH, S/O. SURESH KUMAR,
SUNEESH BHAVANAM, PANNIVIZHA DESOM,
ADOOR VILLAGE.

2. HARIKUMAR, S/O. RAMACHANDRAN NAIR,
PUNNAMOOTTIL VEEDU, PONGALADI DESOM,
PARAPPATTI VILLAGE.

BY ADV. SRI.DEEPU THANKAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, PATHANAPURAM EXCISE RANGE,
PUNALOOR, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4159/2006

DATED THIS THE 17TH DAY OF JULY, 2006

O R D E R

The petitioners were arrested on 26.5.2006, with 210 liters of spirit, by the Inspector of Excise Range, Pathanapuram, who registered C.R.No.42/2006 of that Excise Range, under Section 8(1) & 8(2) of the Abkari Act. The petitioners remain in judicial custody thereafter. Hence this application, under Section 439 Cr.P.C.

2. I heard both sides. The learned Public Prosecutor submitted that the investigation is completed and there is no other case, registered against the petitioners. In the facts and circumstances of this case, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of

the Judicial Magistrate of First Class-III, Punalur.

(b). Each petitioner shall report before the investigating officer, Inspector of Excise Range, Pathanapuram, once in a week, on every Friday, between 10.00 a.m and 11.00 a.m., for a period of four months, starting from 21.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs